

PAUL J. FISHMAN
United States Attorney
ANTHONY J. LABRUNA
Assistant U.S. Attorney
970 Broad Street, Suite 700
Newark, NJ 07102
Tel. (973) 645-2926
Fax. (973) 297-2010
email: anthony.labruna@usdoj.gov

CLOSED

Attorneys for the United States

SIMON B. PARIS
Saltz Mongeluzzi Barrett & Bendesky, P.C.
1650 Market Street, 52nd Floor
Philadelphia, PA 19103
Tel: (215) 575-3985
Email: sparis@smbb.com

STEVE BERMAN
THOMAS E. LOESER
SHAYNE S. STEVENSON
Hagens Berman Sobol Shapiro
1918 8th Ave, Suite 3300
Seattle WA 98101
Tel: 206.268.9337
Email: toml@hbsslaw.com

ERIKA A. KELTON
LARRY P. ZOGLIN
Phillips & Cohen LLP
2000 Massachusetts Ave NW
Washington, D.C. 20036
Tel: (202) 833-4567
Email: lpz@pcsf.com

Attorneys for Qui Tam Plaintiff Anthony Kite

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA, EX REL.
ANTHONY KITE,

Plaintiff(s),

v.

BESLER CONSULTING, ET AL.
(BROOKHAVEN MEMORIAL MEDICAL
CENTER HOSPITAL),

Defendant(s).

HON. FAITH S. HOCHBERG

Civil Action No. 05-3066 (FSH)(PS)

ORDER OF DISMISSAL OF ALL
CLAIMS AGAINST BROOKHAVEN
MEMORIAL MEDICAL CENTER
HOSPITAL

This matter having been opened to the Court by PAUL J. FISHMAN United States Attorney for the District of New Jersey, attorney for the United States, (ANTHONY J. LABRUNA, Assistant U.S. Attorney, appearing); and SIMON B. PARIS of the law firm of Saltz Mongeluzzi Barrett & Bendesky, P.C., STEVE BERMAN, THOMAS E. LOESER, and SHAYNE S. STEVENSON, of the law firm of Hagens, Berman, Sobol, and Shapiro, and ERIKA A. KELTON and LARRY P. ZOGLIN, of the law firm of Phillips & Cohen LLP, all as counsel for the Relator Anthony Kite, (the United States and Anthony Kite hereinafter collectively referred to as the "Parties") for an Order of Dismissal of All Claims Against Brookhaven Memorial Medical Center Hospital, and upon consideration of the Parties' unopposed motion to dismiss with prejudice, consistent with the terms of the Settlement Agreement entered into among the United States, relator Kite, and defendant Brookhaven, all claims against defendant Brookhaven Memorial Medical Center Hospital, and for good cause shown,

IT IS on this 15th day of March, 2010

ORDERED and DECREED that, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and 31 U.S.C. § 3731(b)(1), the claims and causes of action that were asserted, or could have been asserted in the Relator's Second Amended Complaint against Brookhaven Memorial Medical Center Hospital and in the Complaint in intervention filed by the United States, be and hereby are dismissed with prejudice and without costs to any party.



FAITH S. HOCHBERG
United States District Court Judge